

**ZB# 89-23**

**Dennis Kinsler**

**39-2-26**

# 89-23 - Kinsler, Dennis - area (large yard)

Prelim:  
5/22/89.

Small  
92

Ap's furnished 5/10/89,  
Public Hearing:  
July 10th -

Notice delivered  
to Sentinel  
by Ap. on 6/26/89.

~~Collected Fee~~  
\$55.00.

Area ~~Mass~~  
Variance  
Granted  
7/10/89

# General Receipt

10731

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, N. Y. 12550

July 13 19 89  
\$ 25<sup>00</sup>/<sub>100</sub>

Received of Dennis Kinale

Twenty Five and <sup>00</sup>/<sub>100</sub> DOLLARS

For Zoning Board Application Fee 89-23

FUND	CODE	AMOUNT
Check #25.00		
#3020		

By Pauline J. Tacon

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

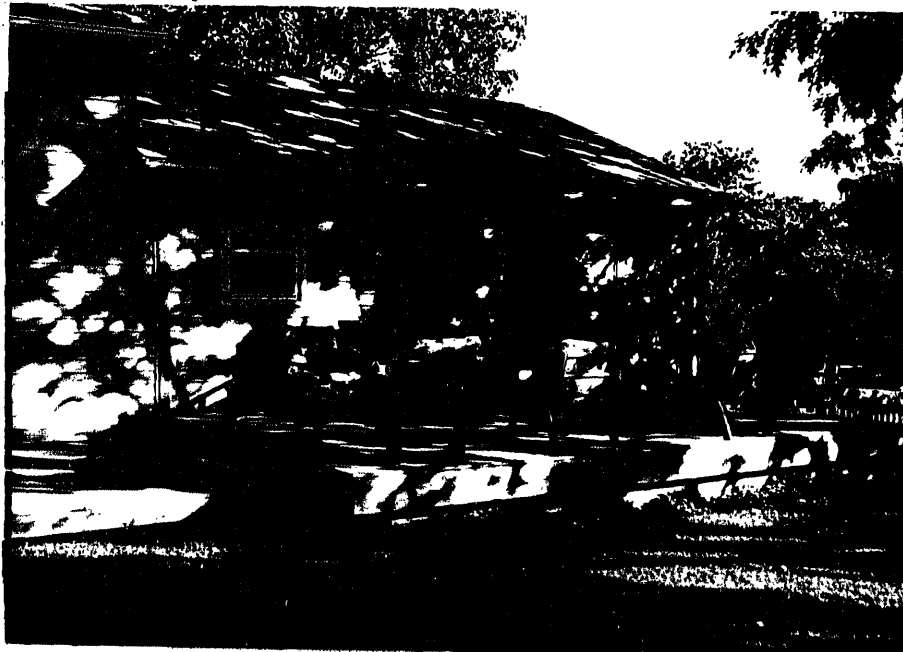


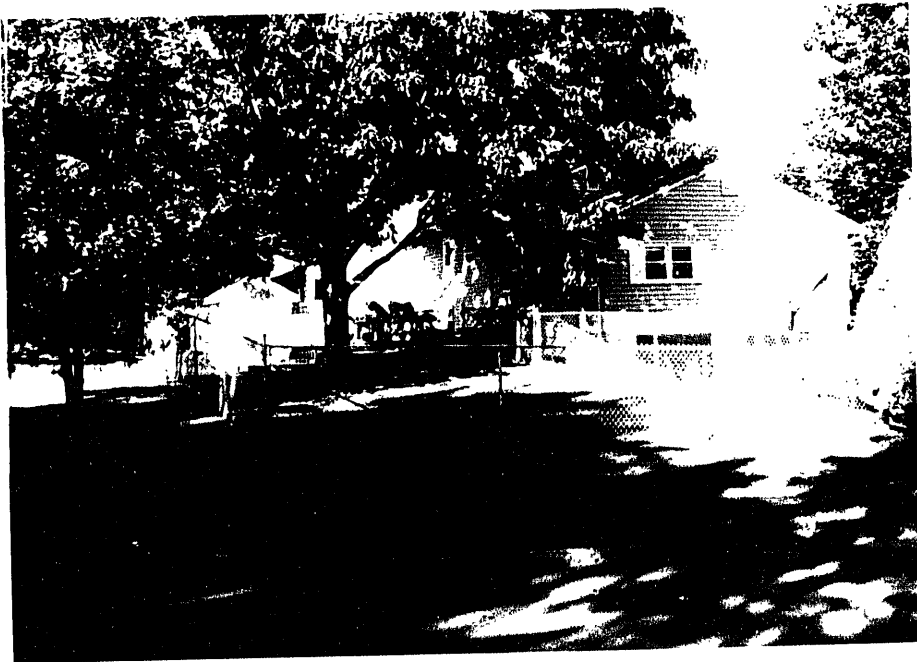
MARK 725.00	
#3020	

Williamson Law Book Co., Rochester, N. Y. 14609

Town Clerk

Title





1912-13 - Kinsler House - 1000 - 1000

NEW WINDSOR ZONING BOARD OF APPEALS

-----X

In the Matter of the Application of

DECISION GRANTING  
AREA VARIANCE

DENNIS and MICHELLE KINSLER

#89-23.

-----X

WHEREAS, DENNIS and MICHELLE KINSLER, residing at 38 Harth Drive, New Windsor, N. Y. 12550, have made application before the Zoning Board of Appeals for an 18.6 ft. rear yard variance for an existing deck to be screened in and converted to a porch at the above premises in an R-4 zone; and

WHEREAS, a public hearing was held on the 10th day of July, 1989 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicants appeared in behalf of themselves; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the bulk regulations with regard to rear yard in order to allow an existing deck to be converted to a screened-in porch.

3. The evidence presented by Applicant substantiated the fact that a variance for less than the allowable rear yard would be required in order to allow the existing structure and would cause practical difficulty to Applicant since relief sought by Applicant is not substantial in relation to the required bulk regulations.

4. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

5. The requested variance will produce no effect on the population density or governmental facilities.

6. That there is no other feasible method available to Applicant which can produce the necessary results other than the variance procedure.

7. The interest of justice would be served by allowing the the granting of the requested variance.


NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT an 18.6 ft. rearyard variance sought by Applicant in accordance site plan filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: August 14, 1989.

  
Chairman

Pg 7. 7/10/89 200

4 Cresthaven Dr.  
New Windsor, NY 12550  
July 10, 1989

To Whom It May Concern;

We have known the Kinsler's  
since they moved into their  
house on Harth Dr.

They seem to take great  
personal pride in their property  
and are good neighbors.

We feel they should be  
allowed to construct an  
enclosed porch even with an  
insufficient rear yard.

Sincerely,

Mrs. Cele Cimarelli  
Cathy Cimarelli



PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals  
of the TOWN OF NEW WINDSOR, New York will hold a  
Public Hearing pursuant to Section 48-34A of the  
Zoning Local Law on the following proposition:

Appeal No. 23  
Request of Dennis Kinsler  
for a VARIANCE of  
the regulations of the Zoning Local Law to  
permit Construct enclosed porch  
with insufficient rear yard;  
being a VARIANCE of  
Section 48-12-Table of Use/Bulk Regs. - Cb/O G  
for property situated as follows:

38 Harth Dr  
New Windsor, NY 12550

SAID HEARING will take place on the 10th day of  
July, 1989, at the New Windsor Town Hall,  
555 Union Avenue, New Windsor, N. Y. beginning at  
7:30 o'clock P. M.

James Nugent  
Chairman



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

*Pullen*  
5/22/89

## NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

FILE NUMBER 89-22-23,

TO: Dennis Kinsler

561-2932 (Michelle)

38 Harth Dr.

New Windsor, N.Y.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED No Date,

FOR PERMIT TO Construct enclosed porch (where deck exists)

AT 38 Harth Dr.

IS DISSAPPROVED ON THE FOLLOWING GROUNDS Insufficient setbacks

Zone R-4

REQUIREMENTS	PROPOSED	VARIANCE
<u>Rear Yard 40'</u>	<u>21.4'</u>	<u>18.6'</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

Call Pat Barnhart (565-8550) to set up appointment

*Pat Pullen*  
BUILDING INSPECTOR

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1-WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
- 2-FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
- 3-INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
- 4-WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
- 5-INSULATION.
- 6-PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME.
- 7-DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR.
- 8-\$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
- 9-PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
- 10-THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
- 11-SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
- 12-SPETIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
- 13-ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.

Name of Owner of Premises DENNIS J. & MICHELE L. KINSLER

Address 38 HARTH DRIVE, NEW WINDSOR, NY Phone 561-2932

Name of Architect NA

Address NA Phone

Name of Contractor OWNER

Address SAME AS ABOVE Phone

State whether applicant is owner, lessee, agent, architect, engineer or builder:

If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of HARTH DRIVE  
(N. S. E. or W.)  
and 0' feet from the intersection of HARTH DRIVE AND CRESTHAVEN DRIVE

2. Zone or use district in which premises are situated RESIDENTIAL

3. Tax Map description of property: Section 39 Block 2 Lot 26

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy RESIDENTIAL b. Intended use and occupancy RESIDENTIAL

5. Nature of work (check which applicable): New Building.....Addition..✓...Alteration.....Repair.....Removal.....

Demolition.....Other.....

6. Size of lot: Front 100' Rear 100' Depth 125' Front Yard..... Rear Yard..... Side Yard.....

Is this a corner lot? YES

7. Dimensions of entire new construction: Front 18'10" R. 18'10" L. 13'4" R. 17'8" L.

WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

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Name of Owner of Premises DENNIS J. & MICHELE L. KINSLER

Address 38 HARTH DRIVE, NEW WINDSOR, NY Phone 561-2932

Name of Architect N.A.

Address N.A. Phone

Name of Contractor OWNER

Address SAME AS ABOVE Phone

State whether applicant is owner, lessee, agent, architect, engineer or builder.  
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of HARTH DRIVE  
(N. S. E. or W.)  
and 0' feet from the intersection of HARTH DRIVE AND CRESTHAVEN DRIVE
2. Zone or use district in which premises are situated RESIDENTIAL
3. Tax Map description of property: Section 39 Block 2 Lot 36
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:  
a. Existing use and occupancy RESIDENTIAL b. Intended use and occupancy RESIDENTIAL
5. Nature of work (check which applicable): New Building..... Addition ☒ Alteration..... Repair..... Removal.....  
Demolition..... Other.....
6. Size of lot: Front 100' Rear 100' Depth 125' Front Yard..... Rear Yard..... Side Yard.....  
Is this a corner lot? YES
7. Dimensions of entire new construction: Front 18'10" Rear 18'10" Depth 13'4" Height 12'8" Number of stories 1
8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....  
Number of bedrooms..... Baths..... Toilets.....  
Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....  
If Garage, number of cars.....
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....
10. Estimated cost \$ 1,911.00 Fee (to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....  
Approved.....19.....  
Disapproved a/c.....  
Permit No. ....

Office Of Building Inspector  
Michael L. Babcock  
Town Hall, 555 Union Avenue  
New Windsor, New York 12550  
Telephone 565-8807

Refer -

Planning Board.....  
Highway.....  
Sewer.....  
Water.....  
Zoning Board of Appeals .....

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

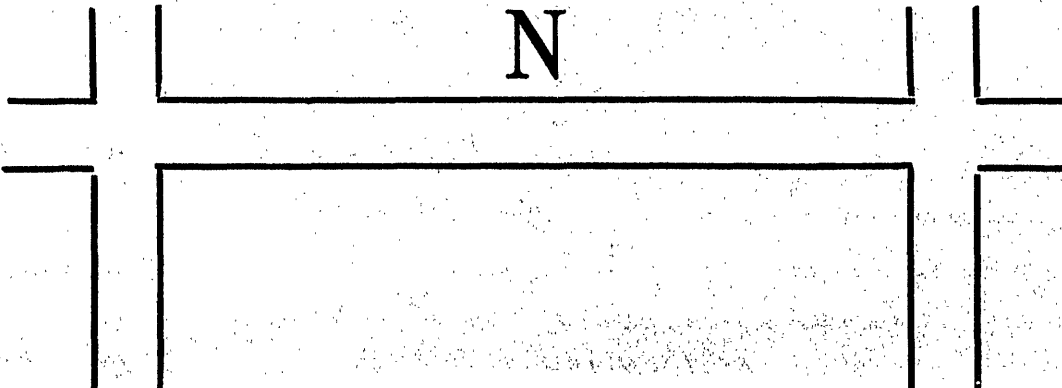
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

.....*Dennis J. Knisler*.....*38 HARTH DR., NEW WINDSOR, NY 12550*.....  
(Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Refer —  
Planning Board.....  
Highway.....  
Sewer.....  
Water.....  
Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT  
Pursuant to New York State Building Code and Town Ordinances

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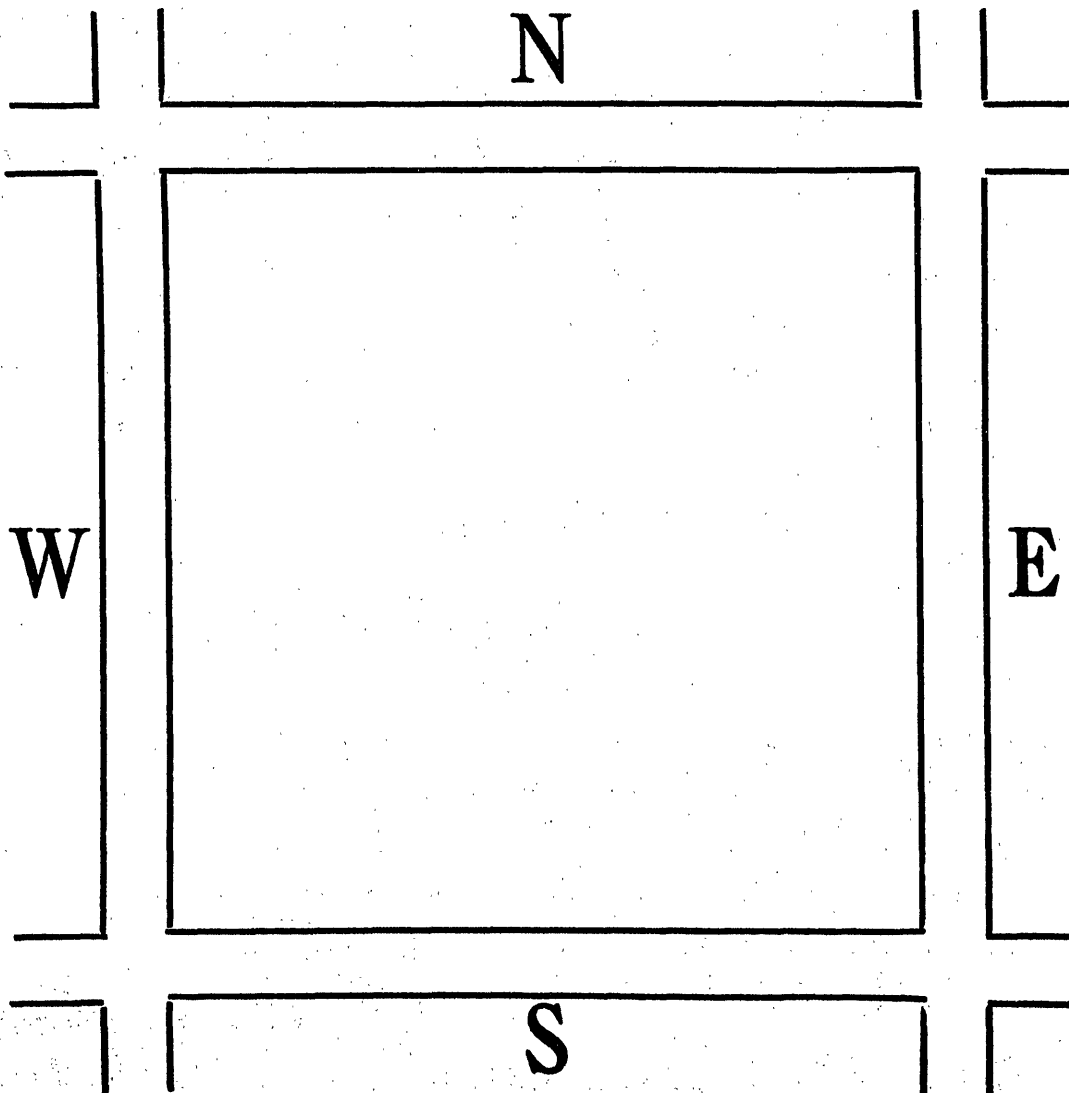
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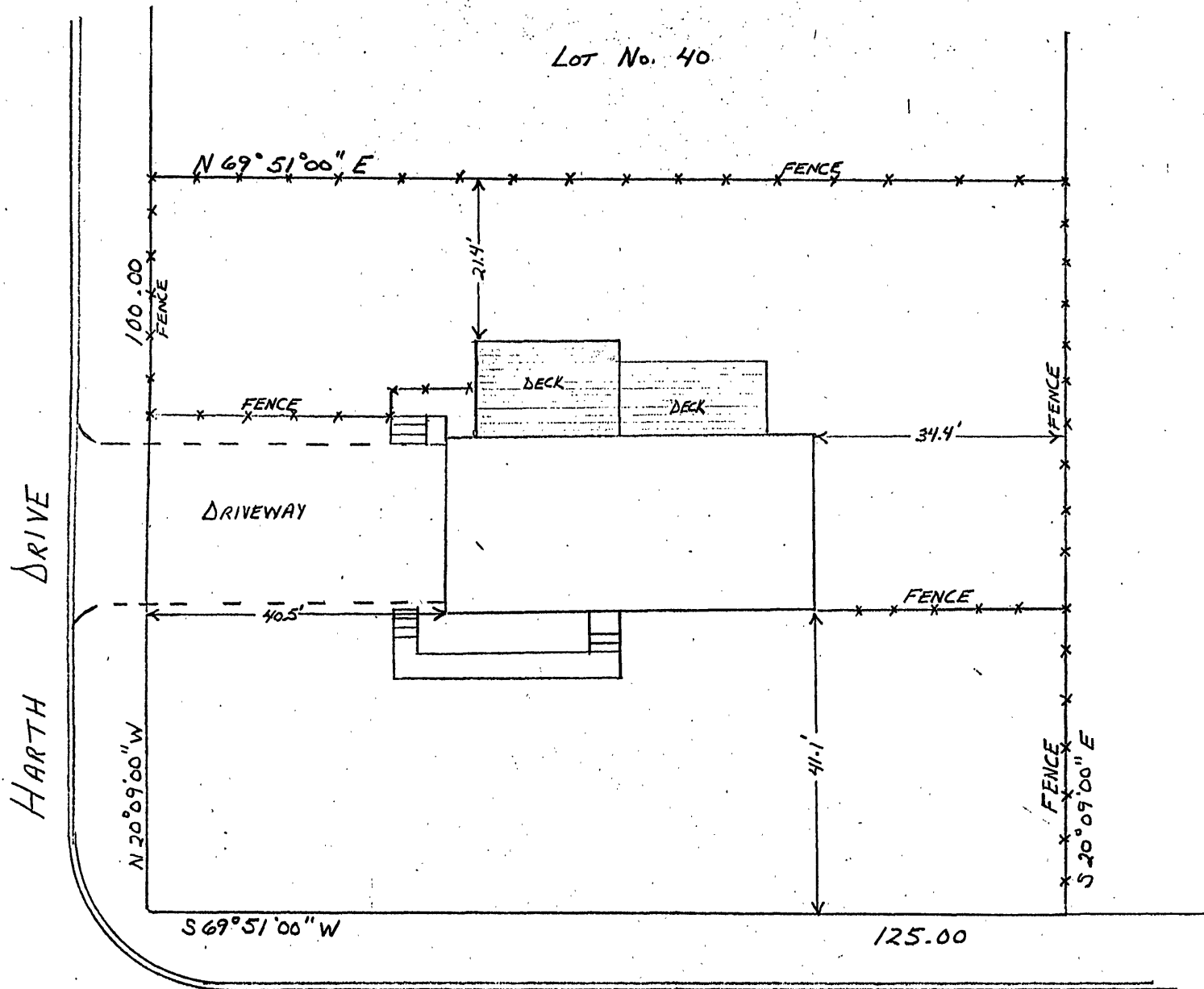
*Demis J. Knisler*  
(Signature of Applicant)

38 HARTH DR., NEW WINDSOR, NY 12550  
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.  
Applicant must indicate the building line or lines clearly and distinctly on the drawings.





BLOCK "E"  
Lot No. 38

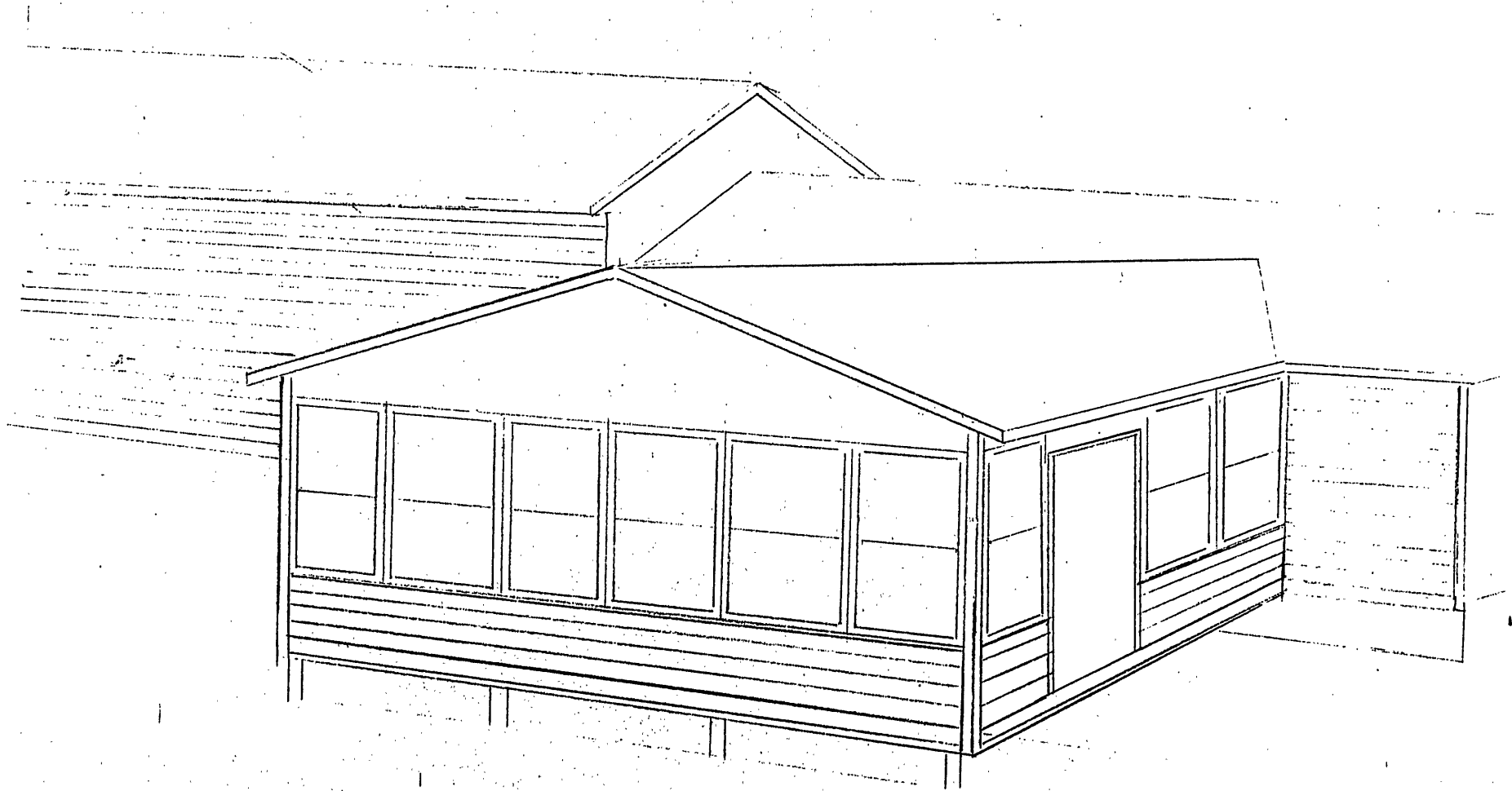
CRESTHAVEN DRIVE

991717166

DENNIS J. KINSLER  
MICHELE L. KINSER

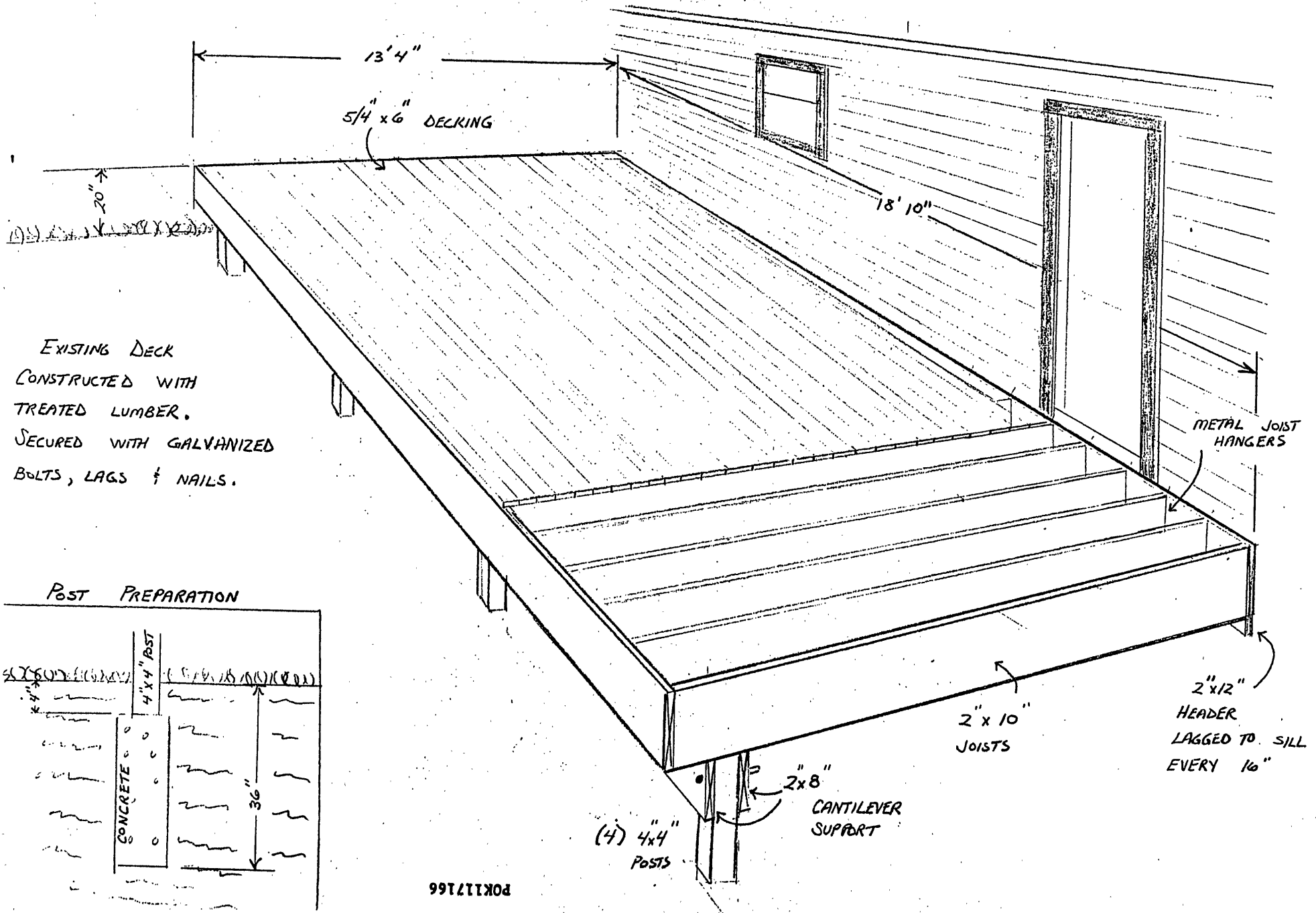
POK117166

DENNIS J. KINSLER





DENNIS J. KINSLER  
38 HARTH DR.



D.J. KINSLER

BACK VIEW OF PORCH (ADDITION)



EXISTING ROOF

4" RISE  
STD. ROOF SHINGLES

ROOF CONSTRUCTION  
2x8

STORM WINDOW

STORM WINDOW

STORM WINDOW

STORM WINDOW

STORM WINDOW

STORM WINDOW

FRAMING  
2x4

VINYL SIDING TO  
MATCH HOUSE

20"

EXISTING DECK

18'10"

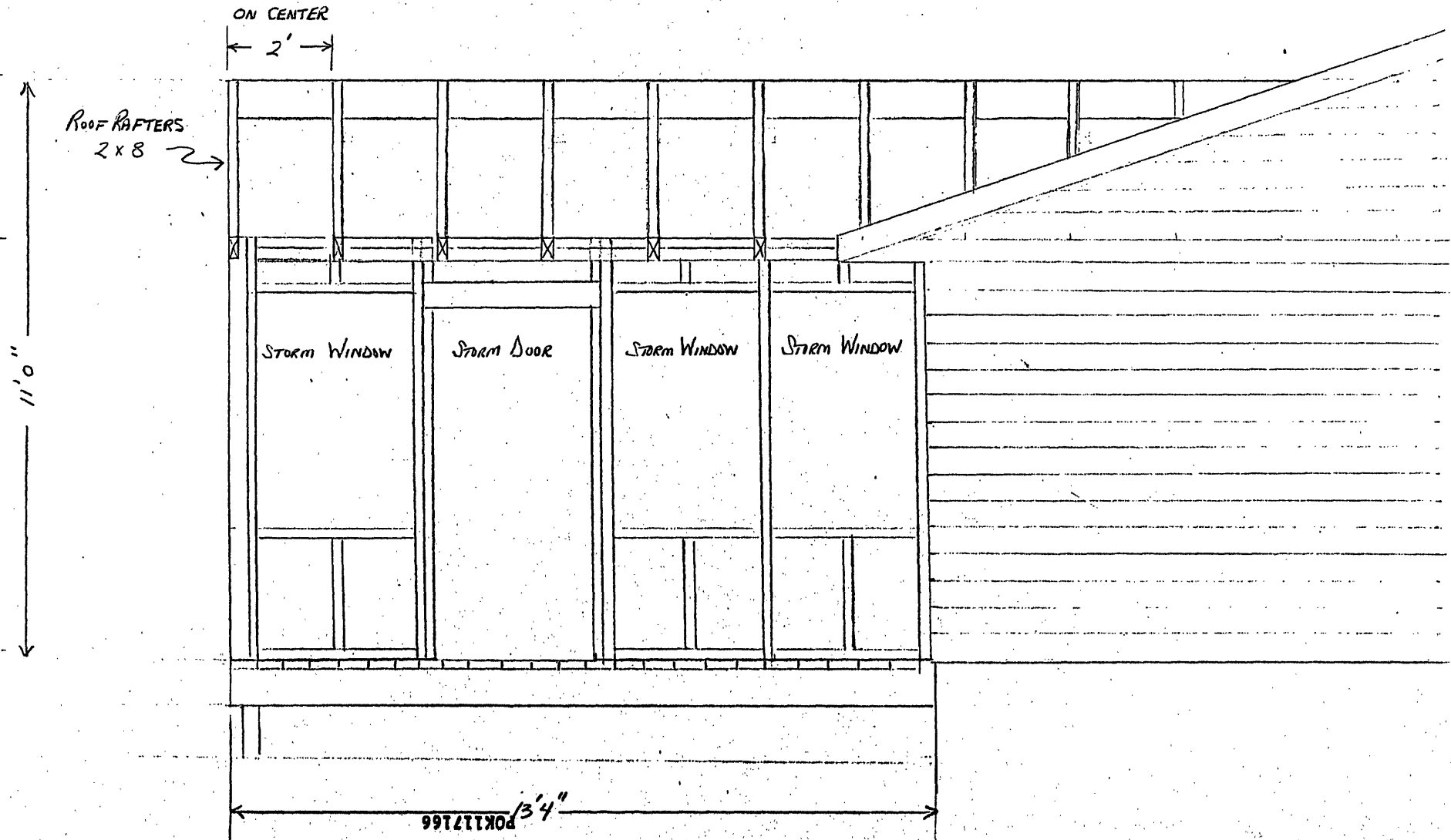
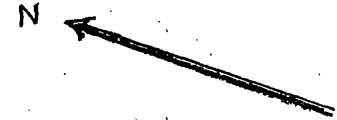
18'10"

3'0"

8'0"

D. J. KINSLER

SIDE VIEW OF PORCH (ADDITION)



DENNIS J. KINSLER  
38 HARTH DRIVE  
NEW WINDSOR, NY

ESTIMATED BILL OF MATERIAL

QUANTITY =====	ITEM =====	UNIT COST =====	COST =====
- 12	Combination storm/screen windows	\$40	\$480
2	Storm doors	\$175	\$350
3	Roof shingles (squares)	\$30	\$90
	Flashing, tar paper, roof nails		\$75
12	1/2 x 4 x 8 - plywood sheathing	\$10	\$120
70	2 x 4 x 8'	\$2	\$140
1	2 x 8 x 20'	\$20	\$20
20	2 x 8 x 12' (rafters)	\$10	\$200
2	2 x 6 x 8'	\$5	\$10
	Vinyl siding		\$200
4	1 x 6 x 12'	\$10	\$40
34	1 x 4 x 8'	\$4	\$136
	Nails		\$50
=====	=====	=====	=====
	Estimated Cost of Material		\$1,911

POK117166



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

May 30, 1989

69

Mr. Dennis J. Kinsler  
38 Harth Dr.  
New Windsor, NY 12550

Re: Tax Map #39-2-26 Variance List - 500 ft.

Dear Mr. Kinsler:

According to our records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$85.00, minus your deposit of \$25.00.

Please remit same to the Town Clerk, Town of New Windsor, NY.

Very truly yours,

*Leslie Cook* /po  
LESLIE COOK  
Sole Assessor

LC/po  
Attachments

cc: P. Bernhardt

Haas, Geraldine T.  
18 Willow Parkway  
New Windsor, NY 12550

Smith, Michael & Ann D.  
20 Willow Parkway  
New Windsor, NY 12550

Chick, James R. & Patricia A.  
22 Willow Parkway  
New Windsor, NY 12550

Fanning, John T. & Barbara M.  
24 Willow Parkway  
New Windsor, NY 12550

Aulogio, Salvatore, J. Jr. & Cheryl  
26 Willow Parkway  
New Windsor, NY 12550

Rupp, David R. & Carmela S.  
28 Willow Parkway  
New Windsor, NY 12550

Krampe, Edwin & Helen  
30 Willow Parkway  
New Windsor, NY 12550

Youngs, William A. & Johanna A.  
32 Willow Parkway  
New Windsor, NY 12550

McKenzie, George Z.  
& Ophelia D. Staples  
25 Willow Parkway  
New Windsor, NY 12550

Guerriero, John & Antoinette  
23 Willow Parkway  
New Windsor, NY 12550

Williams, Agnes E.  
21 Willow Parkway  
New Windsor, NY 12550

Elliott, Gary & Karen  
17 Willow Parkway  
New Windsor, NY 12550

Pares, George  
c/o McNicholas, Thomas  
5 Ivy Lane  
Tenafly, NJ 07670

Maroulis, John M. & Evelyn E.  
10 Cresthaven Dr.  
New Windsor, NY 12550

Irwin, Henry M. & Mabel D.  
9 Valewood Dr.  
New Windsor, NY 12550

Pullar, William James  
7 Valewood Dr.  
New Windsor, NY 12550

Zupitza, Robert J. & Therese  
5 Valewood Dr.  
New Windsor, NY 12550

Sears, Thomas M. & Elena  
3 Valewood Dr.  
New Windsor, NY 12550

Cummings, Robert J. & Marion T.  
1 Valewood Dr.  
New Windsor, NY 12550

Bunkoff, Steven L. & Michelle L.  
34 Harth Dr.  
New Windsor, NY 12550

Green, Harold D. & T. Karole  
32 Harth Dr.  
New Windsor, NY 12550

Seagren, Carl W. & Elizabeth G.  
2 Valewood Dr.  
New Windsor, NY 12550

Dewitt, Roy G.  
4 Valewood Dr.  
New Windsor, NY 12550

Franchini, Anthony & Genevieve  
6 Valewood Dr.  
New Windsor, NY 12550

Randall, Louis D. & Marion B.  
8 Valewood Dr.  
New Windsor, NY 12550

McKee, John A. & Eunice E.  
6 Birchwood Lane  
New Windsor, NY 12550

Windsor Square Associates, Inc.  
19 Barrie Dr.  
Spring Valley, NY 10977

Consolidated Rail Corp.  
6 Penn Center Plaza  
Philadelphia, PA 19103

Central Hudson Gas & Electric Corp.  
284 South Avenue  
Poughkeepsie, NY 12602

Kane, Michael D. & Marlene C.  
43 Harth Dr.  
New Windsor, NY 12550

Fetter, Jr. Harold & Mary Louise  
41 Harth Dr.  
New Windsor, NY 12550

Miller, Mary Jane  
39 Harth Dr.  
New Windsor, NY 12550

Skyer, Max M. & Helen W.  
37 Harth Dr.  
New Windsor, NY 12550

Johnson, Clarence & Mary J.  
35 Harth Dr.  
New Windsor, NY 12550

Palmer, Kenneth & Marion  
33 Harth Dr.,  
New Windsor, NY 12550

Smith, John A. & Patricia A.  
31 Harth Dr.  
New Windsor, NY 12550

Monell, Donald M. & Arlene E.  
29 Harth Dr.,  
New Windsor, NY 12550

Rogers, Charles W. & Doris A.  
27 Harth Dr.  
New Windsor, NY 12550

Herrman, John J. & Jeanette A.  
25 Harth Dr.  
New Windsor, NY 12550

Willkoumm, Helen  
23 Harth Dr.  
New Windsor, NY 12550



Milich, Charles T. & Margaret A.  
19 Willow Parkway  
New Windsor, NY 12550

Damone, Vito F. & Kathleen J.  
15 Willow Parkway  
New Windsor, NY 12550

Ranzanici, Charles & Michie  
13 Willow Parkway  
New Windsor, NY 12550

Messenger, Glen & Fabiann  
45 Harth Dr.  
New Windsor, NY 12550

Barnes, Earl D. & Maripat  
47 Harth Dr.  
New Windsor, NY 12550

Greenwood, James E. Jr. & Doris A  
49 Harth Dr.  
New Windsor, NY 12550

Corbett, Kevin & Dale Susan  
51 Harth Dr.  
New Windsor, NY 12550

Kennedy, Frank P. & Louise V.  
53 Harth Dr.  
New Windsor, NY 12550

Birdsall, Robert W. & Vivian G.  
55 Harth Dr.  
New Windsor, NY 12550

Bedetti, Francis V. & Margo M.  
57 Harth Dr.  
New Windsor, NY 12550

Tompkins, Ronald J. & Betty Lou  
42 Harth Dr.  
New Windsor, NY 12550

Damone, Louis & Lucy  
44 Harth Dr.  
New Windsor, NY 12550

Lucera, Joseph & Anna  
46 Harth Dr.  
New Windsor, NY 12550

Evans, David F. & Barbara Ann  
48 Harth Dr.  
New Windsor, NY 12550

Langer, LeRoy A. & Lorraine F.  
50 Harth Dr.  
New Windsor, NY 12550

Amaro, Jack M. & Kathleen V.  
52 Harth Dr.  
New Windsor, NY 12550

McMonigle, James F. & Dorothea M.  
11 Cresthaven Dr.  
New Windsor, NY 12550

Granieri, Anthony D. & Helen A.  
9 Cresthaven Dr.  
New Windsor, NY 12550

Gagliardi, Paul & Lois  
7 Cresthaven Dr.  
New Windsor, NY 12550

Leechow, Joseph M. Jr.  
& Stephanie Futika  
5 Cresthaven Dr.  
New Windsor, NY 12550

Gayton, Thomas J. & Colette A.  
3 Cresthaven Dr.  
New Windsor, NY 12550

Lare, Harry F. & June A.  
1 Cresthaven Dr.  
New Windsor, NY 12550

Jollie, Edward  
36 Harth Dr.  
New Windsor, NY 12550

Chalermvong, Kasem & Kom Kuy  
2 Cresthaven Dr.  
New Windsor, NY 12550

Cimorelli, Anthony Jr. & Marie  
4 Cresthaven Dr.  
New Windsor, NY 12550

Gatt, Joseph & Patricia  
6 Cresthaven Dr.  
New Windsor, NY 12550

Gomez, Carlos R. & Virgenmina  
8 Cresthaven Dr.  
New Windsor, NY 12550

Harris, Eleanor A. & Kenneth R.  
4 Birchwood Lane  
New Windsor, NY 12550

Pavlik, Carl & Hazel  
30 Harth Dr.  
New Windsor, NY 12550

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 89-23

Date: 5/22/89

I. Applicant Information:

- (a) DENNIS J. KINSLER 38 HARTH DRIVE 561-2932  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) R-4 38 HARTH DRIVE 39-2-26 100' x 125'  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? (ALL R-4)
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 8/82
- (e) Has property been subdivided previously? NO When? \_\_\_\_\_
- (f) Has property been subject of variance or special permit previously? NO When? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NA

IV. Use Variance: N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow:  
(Describe proposal) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- (b) <sup>N/A</sup> The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

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V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of USE Regs., Col. G.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	<u>1</u>	<u>1</u>
Reqd. Rear Yd.	<u>40.0'</u>	<u>18.6</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

\* Residential Districts only

\*\* Non-residential districts only

- (b) ✓ The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

The house is not 40' from the property line, because when the house was constructed there was no zoning as such.

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VI. Sign Variance: <sup>N/A</sup>

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) <sup>N/A</sup> Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

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- (c) <sup>N/A</sup> What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

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VII. Interpretation: <sup>N/A</sup>

- (a) Interpretation requested of New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.

- (b) Describe in detail the proposal before the Board:

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VIII. <sup>✓</sup> Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

There will be landscaping done around the enclosure. There will also be screening done.

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IX. Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☒ <sup>N/A</sup> Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☒ <sup>N/A</sup> Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$25.00 payable to TOWN OF NEW WINDSOR.
- ☒ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 6/26/89

STATE OF NEW YORK )  
COUNTY OF ORANGE ) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

\*Michele L. Kinsler  
(Applicant)

Sworn to before me this

26th day of June, 1989.

Patricia A. Barnhart

PATRICIA A. BARNHART  
Notary Public, State of New York  
No. 018A4904434  
Qualified in Orange County  
Commission Expires August 31, 1989.

XI. ZBA Action:

- (a) Public Hearing date \_\_\_\_\_.
- (b) Variance is \_\_\_\_\_.
- Special Permit is \_\_\_\_\_.
- (c) Conditions and safeguards: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY  
RESOLUTION OF ZONING BOARD OF APPEALS.